UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,331	05/25/2000	Roger V. Beathard	062891.0406	7232

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BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER
ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
07/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mike.furr@bakerbotts.com
ptomail1@bakerbotts.com

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 April 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-4,6-16,18-46 and 48-51</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-4,6-16,18-46 and 48-51</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 May 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>02/13/07</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on April 09, 2007 has been entered. Claims 1, 13,

33, and 44 have been amended. Claims 5, 17, and 47 have been cancelled. No claims

have been added. Claims 1-4, 6-16, 18-46, and 48-51 are still pending in this

application, with claims 1, 13, 33, and 44 being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-4, 6-16, 18-46, and 48-51 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Grabelsky et al (US 6,711,159), in view of Bowker et al (US

4,797,915).

3.   In regards to claims 1, 12, 13, 33, 34, 38, 39, 40, 43, and 44, Grabelsky discloses

a method and call manager for call routing, comprising: receiving a call request at a first

call manager (See Fig. 1 and switch 30) from a first telephony device (See Fig. 1 and

first media device/analog telephone 20) coupled to a packet-based network (See Fig. 1

and IP network 10), the call request including a telephone number associated with a

second telephony device (See Fig. 1 and second media device/IP telephone 22);

accessing a route list (e.g., list of a plurality of gateway devices and their available ports) associated with the telephone number to determine a port of a gateway device operable to transmit the call request to the second telephony device; and communicating the call request to a second call manager (See Fig. 1 and media gateway controller (MGCs) 50a and 50b) controlling the gateway device included in the route list (See col. 2 lines 29-44, col. 3 lines 3-20, and col. 4 lines 12-33). Grabelsky, however, does not disclose wherein the route list comprises a plurality of route groups, each route group including a list of one or more ports of a plurality of gateway devices. Bowker, however, does disclose wherein the route list (See Fig. 6 and route table 611) comprises a plurality of route groups (See Fig. 6 and group (plurality) of line (route) pools (groups) 621-623), each route group including a list of one or more ports of a plurality of gateway devices (See Abstract, col. 3 lines 3-35, and col. 4-5 lines 63-11). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method, as a way of providing an automatic all routing capability for a system, which enable an administrator to designate the manner in which line pools are selected for the placement of external calls.

4.   In regards to claims 2 and 14, Grabelsky discloses the method and call manager, wherein: the packet-based network comprises an Internet Protocol (IP) network (See Fig. 1 and IP network 10); the first telephony device comprises an IP telephony device (See Fig. 1 and IP telephone 22); and the second telephony device comprises a non-IP telephony device (See Fig. 1 and analog telephone 20) (See col. 3 lines 42-60).

5.   In regards to claims 3, 45, 48, and 50, Grabelsky discloses all of claim 3

limitations, except the method and call manager, further comprising: accessing a

registration information table to determine a process identification of a route list control

process executed by the first call manager and associated with the telephone number;

and communicating the call request to the route list control process using the

identification, the route list control process operable to access the route list. Bowker,

however, does disclose accessing a registration information table (e.g., pool access

permission table 607) to determine a process identification (PID) (e.g., pool identifier

[PID]) of a route list control process executed by the first call manager and associated

with the telephone number; and communicating the call request to the route list control

process using the identification, the route list control process operable to access the

route list (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

6.   In regards to claims 4, 7, 16, 35, 36, and 46, Grabelsky discloses the method,

call manager, and call manager software, wherein accessing a route list associated with

the telephone number comprises accessing a route list to obtain the device name and

port number of the gateway device (See col. 2 lines 3-20 and col. 5-6 lines 57-15).

7.   In regards to claims 6 and 37, Grabelsky discloses all of claims 6 and 37

limitations, except the method, further comprising: communicating the device name of

the gateway device to a device manager executed by the first call manager; and

accessing a device name mapping table using the device manager to determine a PID

of a first device process executed by the second call manager and controlling the

gateway device. Bowker, however, does disclose communicating the device name of

the gateway device to a device manager executed by the first call manager; and

accessing a device name mapping table using the device manager to determine a PID

of a first device process executed by the second call manager and controlling the

gateway device (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

8.   In regards to claims 8, 9, 20, and 49, Grabelsky discloses the method and call

manager, further comprising: communicating the call request and the port number from

the first device process to the gateway device; receiving a call proceed signal from the

gateway device indicating acceptance of the call request; and communicating the call

proceed signal from the second call manager to the first call manager (See col. 7 lines

3-23).

9.   In regards to claims 10, 21, 22, 41, 50, and 51, Grabelsky discloses the method

and call manager, further comprising: communicating the call request and the port

number from the first device process to the gateway device; receiving a call denial

signal from the gateway device indicating a denial of the call request; and

communicating the call denial signal from the second call manager to the first call

manager (See col. 7 lines 24-43).

10.   In regards to claims 11, 18, and 42, Grabelsky discloses all of claims 11, 18, and

42, limitations, except the method and call manager, further comprising: accessing a

device name mapping table using the device manager to determine a PID of a second

device process executed by the second call manager and controlling the second

gateway device. Bowker, however, does disclose accessing a device name mapping

table using the device manager to determine a PID of a second device process

executed by the second call manager and controlling the second gateway device (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

11.   In regards to claim 15, Grabelsky discloses all of claim 15, limitations, except the call manager, further comprising: a digit analysis module operable to receive from the call control module the telephone number included in the call request, the digit analysis module further operable to access a registration information table to determine a process identification (PID) of the route list control process associated with the telephone number and to communicate the PID to the call control module; and wherein the call control module communicates the call request to the route list control process using the PID. Bowker, however, does disclose a digit analysis (e.g., digit analyzer) module operable to receive from the call control module the telephone number included in the call request, the digit analysis module further operable to access a registration information table to determine a process identification (PID) of the route list control process associated with the telephone number and to communicate the PID to the call control module; and wherein the call control module communicates the call request to the route list control process using the PID (See col. 4-5 lines 63-11).

12.   In regards to claim 19, Grabelsky discloses all of claim 19 limitations, except the call manager, wherein the route list control process is operable to communicate the call request and the port number to the second device process using the PID. Bowker, however, does disclose the route list control process being operable to communicate the call request and the port number to the second device process using the PID (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

13.   In regards to claim 23, Grabelsky discloses all of claim 23 limitations, except the call manager, wherein the device manager is operable to: receive a signal that a new gateway device has registered with the call manager, the signal including the device name of the gateway device and the PID of the device process controlling the gateway device; and communicate the device name and associated PID to the second call manager. Bowker, however, does disclose receiving a signal that a new gateway device has registered with the call manager, the signal including the device name of the gateway device and the PID of the device process controlling the gateway device; and communicating the device name and associated PID to the second call manager (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

14.   In regard to claim 24, Grabelsky disclose all of claim 24 limitations, except the call manager, wherein the device manager is further operable to: receive a signal indicating that a gateway device is no longer under the control of the call manager; delete the device name and associated PID of the gateway device from the device name mapping table; and communicate a deletion signal to the second call manager indicating that the device name and associated PID should be deleted from a device name mapping table of the second call manager. Bowker, however, does disclose receiving a signal indicating that a gateway device is no longer under the control of the call manager; delete the device name and associated PID of the gateway device from the device name mapping table; and communicating a deletion signal to the second call manager indicating that the device name and associated PID should be deleted from a device name mapping table of the second call manager (See 5 lines 14-41).

15.   In regards to claim 25, Grabelsky discloses all of claim 25 limitations, except the

call manager, wherein the device manager is further operable to: communicate the

device name and associated PID of each gateway device controlled by the call manager

in which device manager is executing to the third call manager. Bowker, however, does

disclose communicating the device name and associated PID of each gateway device

controlled by the call manager in which device manager is executing to the third call

manager (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

16.   In regards to claim 26, Grabelsky discloses al of claim 26 limitations, except the

call manager, wherein the device manager is further operable to: deleting the device

name and associated PID of the gateway devices controlled by the second call

manager. Bowker, however, does disclose delete the device name and associated PID

of the gateway devices controlled by the second call manager (See col. 5 lines 14-41).

17.   In regards to claims 27 and 28, Grabelsky discloses all of claim 27 limitations,

except the call manager, further comprising: a local route plan database accessible by

the route list control process; and a route plan manager operable to download one or

more route lists from a global route plan database and further operable to store the

route lists in the local route plan database for access by the route list control process.

Bowker, however, does disclose a local route plan database accessible by the route list

control process; and a route plan manager operable to download one or more route lists

from a global route plan database and further operable to store the route lists in the

local route plan database for access by the route list control process (See Abstract, col.

3 lines 3-35, and col. 4-5 lines 63-11).

18.   In regards to claims 29, 30, 31, and 32, Grabelsky discloses all of claim 29

limitations, except the call manager, wherein the route plan manager is further operable

to: receive a route plan change notification indicating a modification of a route list in the

global route plan database; delete the route list from the local route plan database;

download the modified route list form the global route plan database; and store the

modified route list in the local route plan database. Bowker, however, does disclose

receiving a route plan change notification indicating a modification of a route list in the

global route plan database; deleting the route list from the local route plan database;

downloading the modified route list form the global route plan database; and storing the

modified route list in the local route plan database (See col. 3 lines 3-35, col. 4-5 lines

63-11, and col. 5 lines 14-41).

19.   In regards to claim 49, Grabelsky discloses the call manager, further comprising:

means for receiving a call proceed signal from the second device process; and means

for establishing media streaming between the first telephone device and the gateway

device in response to receiving the call proceed signal (See col. 2 lines 29-44, col. 3

lines 3-20, and col. 4 lines 12-33).

20.   In regards to claim 51, Grabelsky discloses all of claim 51 limitations, except the

call manager, further comprising: means for receiving a call denial signal from the

second device process; means for accessing the route list to obtain a second port

number of the gateway device; and means for communicating the call request and the

second port number to the second device process. Bowker, however, does disclose

means for receiving a call denial signal from the second device process; means for

accessing the route list to obtain a second port number of the gateway device; and means for communicating the call request and the second port number to the second device process (See col. 5 lines 14-41).

Response to Arguments

21.　　Applicant's arguments with respect to claims 1-4, 6-16, 18-46, and 48-51 have been considered but are moot in view of the new ground(s) of rejection.
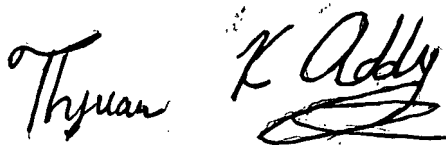
Conclusion

22.　　The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.　Gopal et al (US 4,748,658) teach an architecture for allocating resources in a telecommunications network.

23.　　Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486.　The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

24.　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488.　The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan K. Addy
Patent Examiner
AU 2614